

**IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION**

CIVIL NO. 1:05CR23

UNITED STATES OF AMERICA

VS.

DEBORAH REID HENDRIX

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ORDER

THIS MATTER is before the Court on the Defendant's motion to reduce her term of imprisonment due to "extraordinary and compelling reasons" pursuant to "18 U.S.C. 3553(A) and (B)."¹ The motion is denied.

Defendant asks the Court to modify or otherwise reduce her term of imprisonment to one of home confinement. However, the Court may not "modify a term of imprisonment once it has been imposed except . . . upon motion of the Director of the Bureau of Prisons [if the Court finds] extraordinary and compelling reasons warrant such a reduction[.]" **18 U.S.C. § 3582(c)(1)(A)**. Because the Director has not moved on Defendant's behalf, the Court is without jurisdiction to modify her sentence.

¹ The correct statute for this motion is 18 U.S.C. § 3582(c).

IT IS, THEREFORE, ORDERED that the Defendant's motion to reduce her sentence or otherwise modify her sentence is hereby **DENIED**.

Signed: August 27, 2009

A handwritten signature in black ink, appearing to read 'Lacy H. Thornburg', is written over a horizontal line.

Lacy H. Thornburg
United States District Judge

